

1 State of Arkansas
2 91st General Assembly
3 Regular Session, 2017
4

A Bill

HOUSE BILL 1865

5 By: Representative Ladyman
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For An Act To Be Entitled

8 AN ACT TO AMEND THE STATEWIDE FLUORIDATION PROGRAM;
9 TO PROVIDE LOCAL CONTROL OVER FLUORIDE LEVELS; AND
10 FOR OTHER PURPOSES.
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Subtitle

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13 TO AMEND THE STATEWIDE FLUORIDATION
14 PROGRAM; AND TO PROVIDE LOCAL CONTROL
15 OVER FLUORIDE LEVELS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 20-7-136 is amended to read as follows:

22 20-7-136. Statewide fluoridation program.

23 (a) As used in this section, "water system" means a facility including
24 without limitation a parent system, consecutive system, or other system that
25 holds, treats, and supplies water directly or through a consecutive system or
26 consecutive systems to five thousand (5,000) persons or more.

27 (b) ~~The company, corporation, municipality, county, government agency,~~
28 ~~or other entity that owns or controls a water system shall control~~ A public
29 water authority that serves fewer than twenty-two thousand (22,000) users
30 shall determine whether a public water authority will adjust the quantity of
31 fluoride in the water so as to maintain a fluoride content established by the
32 Department of Health.

33 (c) The State Board of Health shall adopt rules relating to the
34 fluoridation of water systems that shall include without limitation:

35 (1) Permissible concentrations of fluoride to be maintained by a
36 water system; and



1 (2) Requirements and procedures for maintaining permissible
2 concentrations of fluoride including without limitation:

- 3 (A) Necessary equipment;
- 4 (B) Recordkeeping;
- 5 (C) Reporting; and
- 6 (D) Testing.

7 (d)(1) A water system required to fluoridate under this section is not
8 required to comply with the requirements of this section until funds
9 sufficient to pay capital start-up costs for fluoridation equipment for the
10 system have become available from any source other than tax revenue or
11 service revenue regularly collected by ~~the company, corporation,~~
12 ~~municipality, county, or other government agency that owns or controls the~~
13 ~~water system~~ a public water authority.

14 (2) A licensed civil engineer recognized or employed by the
15 department who is familiar with the design, construction, operation, and
16 maintenance of fluoridation systems shall determine for the department
17 whether the capital start-up costs claimed under subdivision (d)(1) of this
18 section are reasonable.

19 (e) A water system for a city in this state that receives its water
20 supply from a community in another state is not required to comply with this
21 section until a substantially similar fluoridation program is enacted for the
22 water system of the community in the other state.

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